

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

PATRICK BERRIOS DESIGNS, INC., §  
§  
Plaintiff, §  
§  
VS. §  
§  
ARTHUR MONROE CONSTRUCTION, § CIVIL ACTION NO. H-05-3633  
L.L.C., §  
ARTHUR MONROE, §  
and §  
VIVIAN MONROE, §  
§  
Defendants. §

**MEMORANDUM AND ORDER**

Pending before the Court is Plaintiff's motion for partial judgment on the pleadings. Plaintiff requests that the Court strike, as legally insufficient, all of the defenses asserted in Defendants' Second Amended Answer. After considering the motion and the applicable law, the Court finds that the motion, Docket No. 11, should be and hereby is **GRANTED** and that all of the defenses asserted in Defendants' Second Amended Complaint should be and hereby are **STRICKEN**. The Court further finds that, because Defendants have admitted to each of the elements of copyright infringement and have asserted no valid defenses, judgment for Plaintiff on the issue of liability should be and hereby is **GRANTED**.

**IT IS SO ORDERED.**

**SIGNED** at Houston, Texas, on this the 27th day of March, 2006.



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KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE

**TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES  
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY  
OTHER PARTY AND Affected NON-PARTY EVEN THOUGH  
THEY MAY HAVE BEEN SENT ONE BY THE COURT.**